

Appendix A - Proposal Forms

Proposers must complete all forms and insert them in relevant sections as described in **Chapter V. Proposal Instructions**. Base Proposals must include all completed forms:

Form 1. Proposer Commitment

Form 2. Surety Intent

Form 3. City of Seattle Vendor Questionnaire

Form 4. City Non Disclosure Request

Form 5. Principal Staff

Form 6. Facility Volumes and Capacity (*for each facility*)

Form 7. City Inclusion Plan

Form 8. Prices

Alternative Proposals should include **Form 6** (*if facilities or expected volumes are different than Base Proposal*) and **Form 8** for alternative prices.

Proposer _____

Form 1 Proposer Commitment

STATE OF _____
COUNTY OF _____ } SS.

I, _____ of the City of _____, in the County of _____ and State of _____, of full age, being duly sworn on oath depose and say that:

I am _____ of the firm of _____, the Proposer making the Proposal for Organics Processing Services, and that I executed the said Proposal with full authority so to do; that said Proposer has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the Services; that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the City of Seattle relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding Contracts for the said Services.

I understand the Proposal requirements and the contract specifications, and the Proposer has based its Proposal on the provisions and specifications detailed in this Request for Proposals and its Appendices.

I will comply with all relevant provisions of the Seattle Municipal Code (SMC), including but not limited to the following human rights and discrimination provisions: SMC Ch 14.04 (Employment Practices), SMC Ch 14.10 (Fair Contracting Practices), SMC Ch 20.42 (Equality in Contracting), SMC Ch 20.45 (City Contracts – Nondiscrimination in Benefits). I will also comply with the Revised Code of Washington (RCW), including but not limited to RCW Ch 49.60 (Discrimination - Human Rights Commission).

I have submitted all Proposal Forms which are incorporated into this Proposal by this reference.

I further certify:

- a: that neither the Proposer nor any member of the Proposer's team is currently suspended or debarred from doing business with any government entity;
- b: that the Proposer has reviewed all of its engagements and pending engagements and that, in making this Proposal, no potential for conflict of interest or unfair advantage exists; and
- c: that the information supplied by the Proposer in this Proposal is current, truthful and complete.

Having carefully examined the Project Documents comprising the RFP, its Appendices, and all other documents bound therewith, together with all Addenda thereto, all information made available by the City, and being familiar with the work and the various conditions affecting the work, the undersigned hereby offers to furnish all labor, facilities, equipment, supplies and things necessary or proper or

Proposer _____

incidental to the contract operations as required by and in strict accordance with the applicable provisions of the RFP, its Appendices and all Addenda issued by the City.

I acknowledge receipt of addenda:

Addenda No.

Addenda date

I further warrant that no person or selling agency has been employed or retained to solicit or secure such Contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by _____.

(Signature of Proposer)

[Name]

[Title]

(Signature of Partner)

[Name]

[Title]

Note: *If this Proposal is being **submitted by a corporation**, the Proposal shall be executed in the corporate name by the president or other corporate office. A certificate of another officer clerk of the corporation evidencing the signing officer's authority to execute the Proposal shall be attached. If this Proposal is being **submitted by a joint venture**, it shall be executed by all joint venture Partners, and any partner that is a corporation shall follow the requirements for execution by a corporation as set forth above.*

STATE OF

COUNTY OF

} SS.

On this ____ day of ____, 20__, before me appeared _____, personally known to me to be the person described in and who executed this _____ and acknowledged that (she/he) signed the same freely and voluntarily for the uses and purposes therein described. In witness whereof, I have hereunto set my hand and affixed my official seal the day and year last written above.

(seal)

Signature

[Name]

Notary Public in and for the state of Washington

Residing at _____

My appointment expires _____

Proposer_____

Form 2 Surety Intent

TO: CITY OF SEATTLE

We have reviewed the Proposal of _____ [Contractor] _____ of _____ [Address] _____

for the following contract:

CITY OF SEATTLE

Organics Processing

We understand that Proposals will be received until 2:00 pm on May 15, 2012, and wish to advise that should this Proposal be accepted and the Contract awarded to the Contractor listed above, it is our intention to become surety on the Performance bond required by the Contract.

We also hereby declare that we have reviewed this Request for Proposals, including Appendix B, Section 600, and that we understand the requirements for the Performance and Payment Bond that must be provided prior to the beginning of processing services under the Contract. We hereby certify that we are able to, and that we will, provide a qualified Performance Bond should the Contractor listed above be awarded the Contract.

We are duly licensed to do business in the State of Washington.

Dated:_____

By: [Name of Surety]

[Name of Signatory]

[Title]

(Seal)

Signature_____

Proposer_____

Proposer _____

Form 3 City of Seattle Vendor Questionnaire

Vendor Information	
Vendor's Legal Name	
"Doing Business Name" (dba) if applicable	
Mailing Address	
Contact Person and Title	
Contact Person's Phone Number	
Contact Person's Fax Number	
Contact Person's E-Mail Address	
Washington State Business License # (UBL#)	
Dun & Bradstreet number (if available)	
Identify the City and State of your company headquarters	

Ownership	
Is your firm a subsidiary, parent, holding company, or affiliate of another firm?	
What year was your firm, under the present ownership configuration, founded?	
How many years has your firm been in continuous operation without interruption?	
What year did your firm begin providing, on a continuous basis, the types of services or products that are required from this solicitation?	

Financial Resources and Responsibility	Specify yes or no. If yes, explain.
Within the previous five years has your firm been the debtor of a bankruptcy?	
Is your firm in the process of or in negotiations toward being sold?	
Within the previous five years has your firm been debarred from contracting with any local, state, or federal governmental agency?	
Within the previous five years has your firm been determined to be a non-responsible bidder or proposer for any government contract?	
Within the previous five years has a governmental or private entity terminated your firm's contract prior to contract completion?	
Within the previous five years has your firm used any subcontractor to perform work on a government contract when that subcontractor had been debarred by a governmental agency?	

Proposer _____

Disputes	Specify yes or no. If yes, explain.
<p>Within the previous five years has your firm been the defendant in court on a matter related to any of the following issues:</p> <ul style="list-style-type: none"> • Payment to subcontractors? • Work performance on a contract? 	
Does your firm have outstanding judgments pending against it?	
Within the previous five years, was your firm assessed liquidated damages on a contract?	
Has your firm received notice of and/or in litigation about patent infringement for the product and/or service that your firm is offering to the City?	

Compliance	Specify yes or no. If yes, explain.
Within the previous five years, has your firm or any of its owners, partners, or officers, been assessed penalties or found to have violated any laws, rules, or regulations enforced or administered by a government entity? This does not include owners of stock in your firm if your firm is a publicly traded corporation.	
If a license is required to perform the services sought by this solicitation, within the previous five years has your firm had a license suspended by a licensing agency or been found to have violated licensing laws?	
If Hazardous Materials are an element of the contract, has the Vendor had any violations of improper disposal of such materials or any violation of associated laws, rules or regulations in the previous five years?	

Involvement by Current and Former City Employees	Specify yes or no. If yes, explain
Are any of your company officers or employees a current or former City of Seattle employee or volunteer? If yes, identify the employee name. Advise the employee of their duty to comply with City of Seattle's Code of Ethics, Seattle Municipal Code Chapter 4.16.	
Will any of your vendor employees work more than 1,000 hours (per rolling 12 months) within a City contract, combining the hours for work under this contract and any other? If so, specify the worker name. Advise the worker of their duty to comply with the City of Seattle's Code of Ethics, Seattle Municipal Code Chapter 4.16	
Vendor (including officer, director, employee, trustee, or partner) must not have a business interest or a close family or domestic relationship with any City official, officer or employee who was, is, or will be involved in selection, negotiation,	

Proposer _____

drafting, signing, administration or evaluation of the Vendor performance. Vendor shall notify the City RFP Contact in writing, if known, and the City shall make the sole determination as to compliance.	
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By submittal of this form, the Vendor hereby certifies:
Vendor is not debarred, suspended, proposed for debarment, or declared ineligible for award of contracts by any Federal agency.
During the most recent three years, the Vendor has not been convicted of or had a civil judgment rendering against the firm for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, state or local government, or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property, and my firm is not presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of these offenses.
Vendor has not paid, nor will pay, Federal appropriated funds (including profit or fee received under a covered Federal transaction), to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on his or her behalf in connection with this solicitation, the Offeror shall notify the City of Seattle and complete and submit, with its offer, OMB standard form LLL, Disclosure of Lobbying Activities.
Vendor has not had a governmental or private entity contract terminated prior to contract completion or debarred from bidding, within the last five years.
Within the previous five years, vendor has not used any subcontractor to perform work on a government contract when that subcontractor had been debarred by a governmental agency.
Vendor's Offer is valid until the date the City awards a Vendor Contract or rejects all offers;
Vendor has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive pricing in the preparation and submission of its Offer;
Vendor shall provide immediate written notice to the City of Seattle if, at any time prior to contract award, the Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
Submittal of this Vendor Questionnaire with your proposal provides authority and certification for your entire submittal.

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Proposer _____

Form 4.City Non Disclosure Request

The City's expectations and responsibilities for public disclosure are described in the **Chapter V. Proposal Instructions** of this RFP. If you believe any statements or items you submit to the City as part of this bid/response are exempt from disclosure, you must identify and list them below. You must very clearly and specifically identify each statement or item, and the RCW exemption that applies. If awarded a City contract, the same exemption status will carry forward to the contract records.

The City will **not** exempt materials from disclosure simply because you mark them with a document header or footer, page stamp, or a generic statement that a document is non-disclosable, exempt, confidential, proprietary, or protected. You may not identify the entire page, unless the entire page is within the exemption scope. Only records properly listed on this Form will be protected and withheld for notice. All other records will be considered fully disclosable upon request.

- ☐ I do not request any information be withheld.
- ☐ I request the following specific information be withheld. I understand that all other information will be considered public information. For each statement or item you intend to withhold, you must fill out every box below. You should not require an entire page withheld; only request the specific portion subject to the exemption.

Document Page: Specify the page number on which the material is located within your submittal package (page number)	Statement: Repeat the text you request to be held as confidential, or attach a redacted version.	RCW Exemption: Specify the RCW exemption including the subheading

For this request to be valid, you must specify the RCW provision or other State or Federal law that designates the documents as exempt from disclosure. For example, potential RCW exemptions include the following:

1. RCW 42.56.230.3 – Personal information - taxpayer
2. RCW 42.56.230.4 – Personal information – Credit card numbers and related
3. RCW 42.56.250 – Employment and licensing (specify applicable sections)
4. RCW 42.56.260 - Real estate appraisals
5. RCW 42.56.270 (Sections 1 through 21) – Financial, commercial, and proprietary information (specify applicable sections)
6. RCW 42.56.270 (items 1 through 17) – specify applicable subheading
7. RCW 42.56.420 – Security (specify applicable sections)

Proposer _____

Proposer_____

Form 5 Principal Staff

a) Proposer

Principal officers

Title

_____	_____
_____	_____
_____	_____
_____	_____

Principal individuals responsible for implementation under this Proposal:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

[Attach resumes for all listed staff.]

b) Partners and subcontractors

Principal officers

Title

Company

_____	_____	_____
_____	_____	_____

Principal individuals responsible for implementation in Seattle:

_____	_____	_____
_____	_____	_____
_____	_____	_____

[Attach resumes for all listed staff.]

Attach an organization chart or other means of explaining the interrelationships between the team members.

Proposer _____

Proposer_____

Facility_____

Form 6 Facility Volumes and Capacity

The Proposer should complete separate versions of this form for each proposed receiving and/or processing facility.

Facility Inbound Tons per Year	2011 Actual Tons/year	2015Projected Tons/year	2020 Projected Tons/year
Inbound (Excluding Seattle Contract Tons)			
Yard Trimmings			
Residential Mixed Food & Yard			
Commercial Mixed Food & Yard			
Food Processing Wastes			
Land Clearing			
Agricultural			
Biosolids			
Other Organics (list types)			
Sources (Excluding Seattle Contract Tons)			
Other municipal or private transfer trailers			
Collection route trucks			
Commercial Roll-offs			
Self-Haul Trucks			
Other			

Annual tonnage limits in facility permits for 2012: _____

Monthly tonnage limits in facility permits for 2012: _____

Materials facility can accept:

Materials prohibited from accepting:

Proposer_____

Proposer _____

Form 7 City of Seattle Inclusion Plan

A. Subcontracting and Hiring for Proposed Work

1. **Do you anticipate hiring a subcontractor to support the proposed work?** _____
(If yes, complete 'Subcontracting' section below.)
2. **Do you anticipate hiring new employees to support the proposed work?** _____
(If yes, complete 'Diverse Employment' section below.)

The Proposer shall respond to relevant questions below. Responses shall be scored and evaluated as part of the selection, and are to evidence clear commitments that reflect responsible, sincere good faith efforts resulting in successful inclusion of WMBE firms. The City may clarify or request additional information during evaluation of the Plan. The City may finalize the Plan with the highest ranked Proposer, and the agreed-upon Plan may become part of the contract. The City defines WMBE firms as those that self-identify to be 51% woman and/or minority owned.

B. Subcontracting

Subcontracting is defined as direct performance through subcontracting within the proposed project team to fulfill the contract work.

1. Of the total contract work, what is the **percentage of WMBE participation** proposed for subcontracting on your team? This percentage could become a contract commitment.

Specify the percentage participation of woman owned subcontracting, out of the total work identified in the RFP.	%
Specify the percentage of minority owned subcontracting participation, out of the total work identified in the RFP.	%

2. **Name the WMBE team members** you intend to use, given the work described in the RFP. Describe the work you expect the WMBE firms to perform. Identify the dollars or percentage of total contract value intended for each WMBE firm. The City may request letters of commitments that show agreements between your company and the subcontractors before the City accepts the Plan and executes a City contract. Should the contract scope require changes to the WMBE firms or WMBE utilization, the City expects the Consultant to discuss such changes and pursue continued commitments for WMBE utilization consistent with the changes in contract scope.

Proposer _____

Name of WMBE Company	Specify whether a self-identified Women or Minority Business	Describe Task	Describe percentage of the City contract for subcontract to this WMBE

3. In detail, describe your **past success and past performance** at WMBE subcontracting or teaming participation on contracts and/or other evidence of the likelihood of the proposed subcontracting, including pre-award commitments or agreements with your named WMBE firms, specific strategies you intend to use in the solicitation and award of subcontractors that can assure WMBE participation at the percentages you have indicated, or similar.
4. Describe the **strategies and selection processes** you intend to use to ensure meaningful WMBE utilization in this contract. Describe your strategies, the scopes of work that have greatest WMBE opportunities and how you would balance those scopes that have less WMBE opportunity.
5. If any of the WMBE subcontractors listed above are participating in a **mentoring or capacity building program** with your company, please identify which and describe your program.

C. Diverse Employment

Please specify the following information for your local office and/or other offices that are performing direct services to this contract.

1. List your **current employment profile**
Total number of employees:
Number and percentage of minorities and/or women:
2. Describe your employment and **hiring policies** that promote affirmative efforts in recruitment for employee diversity.
3. Estimate your hiring of **new employees for this work**
Total number of employees expected to hire:
Apparitional targets for hiring minorities and/or women:
4. If you are planning new employment, provide a paragraph that describes the functions you are recruiting for that relate to performance of this contract, how you would recruit, and your past performance for such recruitment, that proves success that Proposer has made or **plans to make to solicit women and minorities**.
5. If you have an **intern program** designed to recruit woman and minorities, please describe.

Proposer _____

Form 8 Price

These prices would be in effect for the first year of processing services. The prices should be in dollars per ton received and incorporate long-haul transportation costs from the receiving facility if the processing facility is more than 50 miles from Seattle.

A. Receiving and Processing Prices (\$/ton) *Required Prices*

Proposers may provide prices for one, two or three of the components below. *For each component proposed*, Proposers must provide prices for all four contract terms.

Contract Term	5-10% Component	40-60% Component	90-100% Component
April 2014 – March 2020 (with extensions to 2024)			
April 2015 – March 2021 (with extensions to 2025)			
April 2014 – March 2024			
April 2015 – March 2025			

B. Transfer, Hauling and Processing Prices (\$/ton) *Optional Prices*

These prices are optional and include transfer of material from route collection trucks at a Seattle location, in addition to the hauling and processing of the organic materials. Proposers may provide prices for one, two or three of the components. *For each component proposed*, Proposers must provide prices for all four contract terms.

Contract Term	5-10% Component	40-60% Component	90-100% Component
April 2014 – March 2020 (with extensions to 2024)			
April 2015 – March 2021 (with extensions to 2025)			
April 2014 – March 2024			
April 2015 – March 2025			

Proposer_____